IN THE HIGH COURT OF JUDICATURE AT BOBBY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 5257 OF 2004

Shri Chandrabhan Ramdev Sukla ..Applicant.

V/s.

The State of Maharashtra .. Respondent.

Shri A. J. Irani for Applicant.
Shri D.R. More, APP for Respondent.

CORAM : A.M.KHANWILKAR, J.
DATED : DECEMBER 07, 2004

PC :-

. Heard the learned counsel for the parties.

2. Learned APP on instructions fairly concedes that there is no material to show that on the date of incident, the applicant had visited the premises in question, either before the incident or even after the incident in question. If it is so, there is nothing to connect the applicant with the alleged incident of beating the deceased Roli Dixit by Shobha S. Dube mercilessly. Besides, no recovery has been made at the instance of the applicant. Taking over all view of the matter, the applicant deserves to be enlarged on bail on strict conditions as follows :-

(a) The Applicant is enlarged on bail in connection with C.R.I-125/2004, registered with Palghar Police Station, on executing personal bond in the sum of Rs. 25,000/- (Rs. Twenty-five thousand only) with two local sureties in the like amount.

(b) The applicant shall not enter the jurisdiction of Palghar Police Station, except for the purpose of investigation, as and when called upon by the Investigating Officer.

(c) The applicant shall inform the place of residence, where he intends to stay, within one week from the date of his release to the investigating officer as well as to the trial court.

(d) The applicant shall regularly report to the nearest police station, where he intends to stay, once in a fortnight on Saturday between 10 a.m. to 1 p.m..

(e) He shall extend full co-operation to the investigating officer as well as for early disposal of the trial. If the trial court is of the opinion that he is responsible for delay in trial that fact be

recorded in the Rozanama, which can be a ground for cancellation of bail.

(f) He shall not influence the prosecution witness or tamper with the prosecution evidence in any manner whatsoever.

3. Ordered accordingly.

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